

PUBLIC SUBMISSION

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Exposure of Underground Miners to Diesel Exhaust

Comment On: MSHA-2014-0031-0076
Exposure of Underground Miners to Diesel Exhaust: Request for Information; Reopening of Rulemaking Record; Extension of Comment Period

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Comment from anonymous anonymous, NA

Submitter Information

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Organization: NA

General Comment

GREATEST WILDFIRE MANAGEMENT FOREST SERVICES FACES TODAY ARE ENVIRONMENTALISTS using the Endangered Species Act (ESA), Rep. Doc Hastings (WA-04), Co-Chair Rep. Cynthia Lummis (WY Co-Chair Rep. Mark Amodei (NV) Rep. Rob Bishop (UT-01) Rep. Doug Collins (GA-09) Rep. Andy Harris (MD-01) Rep. Bill Huizenga (MI-02) Rep. James Lankford (OK-05) Rep. Blaine Luetkemeyer (MO-03) Rep. Randy Neugebauer (TX-19) Rep. Steve Southerland (FL-02) Rep. Glenn Thompson (PA-05) Rep. David Valadao (CA-21) of the House of Representatives formed the Endangered Species Act (ESA) Working Group in May 2013 to examine a variety of questions related to ESA implementation. litigation has increased the federal government's INABILITY to control catastrophic WILDFIRES. According to the California Forestry Association, environmentalists filed more than 50 appeals in just one county to block thinning projects that sought to protect the Northern Spotted Owl habitat that had been destroyed by fire. In addition, a lawsuit filed by one group led to a federal court order last year that could block state allocation of existing water rights. The four federal land management agencies (the U.S. Forest Service, Bureau of Land Management, National Park Service, and the FWS) are responsible for managing over 600 million acres of land or nearly one-third of the United States. Decades of failed federal forest management have created unhealthy and overstocked forests, placing 73 million acres of National Forest lands and 397 million acres of forest land nationwide at risk of severe wildfire. Fires are destroying species habitat and ESA itself is creating obstacles that are counter-productive to fighting wildfires, including use of heavily mechanized equipment, use of aerial retardant and restricted use of

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water due to concerns about potential impacts to other ESA-listed species, such as salmon. State and tribal lands adjoining federal forest lands are increasingly at risk of wildfires partly because of ESA. The Forest Service's self-described "analysis paralysis," excessive appeals on timber sales, ESA-related litigation, statutory and administrative land designations (such as wilderness, roadless areas and critical habitat) all serve to delay or outright block management activities necessary to reduce hazardous fuels and improve forest health and habitat. For example, in northwestern Montana, the Kootenai National Forest Supervisor approved an Environmental Impact Statement to proceed with the Grizzly Vegetation Management project on 2,360 acres. The proposed activities included timber harvest, fuels reduction, prescribed burning, pre-commercial thinning, wildlife habitat improvement, and watershed rehabilitation. In late 2009, several environmental groups filed suit under the ESA, claiming these activities would harm grizzly bear habitat. A federal district court judge granted an injunction in 2010, which effectively blocked the management activities, and awarded the plaintiff's attorneys' fees in the amount of \$56,000. This area was recently identified by the National Interagency Fire Center as being at a "significant risk of wildfire." Over the past two fiscal years alone, lawsuits, notices of lawsuits, and appeals were filed in the Idaho and Montana region of the U.S. Forest Service to block timber thinning and other vegetation management in areas at high risk of wildfire. Endangered species habitat destruction was a reality last year, when the Arizona Game and Fish Department noted that two major fires resulted in the destruction of 20 percent of Mexican spotted owl nests known to exist in the world. In addition, biologists scrambled last year to protect endangered fish in New Mexico from the Whitewater-Baldy Complex fire, which consumed almost 300,000 acres. Chairman Bishop (R-UT) said after the February 5, 2016 finalization of a new policy for defining and designating critical habitat under the Endangered Species Act. "Just like we saw with WOTUS, this is another power grab. The new definition injects even more ambiguity and confusion into an already arbitrary process. This Obama Administration doesn't care if they abuse the law as long as they can exert more control over people. If we've learned anything from the Obama Administration's handling of the endangered manatee, this agenda has nothing to do with improving habitat or protecting species. It's their way to exert more control disguised as helping animals and the environment."